

# VINITA DAILY CHIEFTAIN.

VOL XII. NO. 221.

VINITA, OKLAHOMA, FRIDAY, JANUARY 6, 1911.

FIVE CENTS PER COPY

## HEARING BEGUN IN TOBACCO CASES

Organization of Tobacco Companies Now Alleged to Be Unlawful Has Spread Over Many Years.

By Associated Press.

Washington, D. C., Jan. 6.—The suit for the dissolution of the "Tobacco Trust," is being argued before the supreme court today.

The suit under the Sherman anti-trust law to dissolve the so-called "Tobacco Trust" was instituted in 1907 in the circuit court of the United States for the southern district of New York. The proceedings were brought by the department of justice against more than sixty corporations and a number of individual defendants headed by James B. Duke.

The process of organization of the combination alleged to be unlawful spread over many years. It began in January, 1890. Then the first American tobacco company was incorporated for the purpose, it is alleged, of taking over the business of five independent cigarette plants.

In 1898, the Continental Tobacco company was incorporated for the alleged purpose of taking over the plug-tobacco business of the American Tobacco company and the business of five other plug tobacco concerns.

In 1900, the American Snuff company was incorporated for the alleged purpose of taking over the snuff business of the American Tobacco company and of two or three independent snuff manufacturers.

In 1901, the American Cigar company was incorporated for the alleged purpose of taking over the cigar business of the American Tobacco company and an independent manufacturer of cigars.

In the same year, the Consolidated Tobacco company was incorporated for the alleged purpose of taking over as a holding company in exchange for its bonds substantially all of the stock of the American Tobacco company and the Continental Tobacco company.

In 1904, the American Tobacco company, the Continental Tobacco company and the Consolidated Tobacco company were merged into the present American Tobacco company.

It is alleged that in addition to this organization, the American companies in 1902 entered into a contract with a British company, the Imperial Tobacco company, whereby the American companies were limited to their business to America and the British to Great Britain, except that the latter could buy leaf tobacco in the United States. It was alleged that the British-American Tobacco company was organized to take over the export business of both the British and the American companies.

Testimony was presented to prove that the defendants produced 70 per cent of the smoking tobacco made in this country; 73 per cent of the cigarettes; 81 per cent of the plug and twist tobacco; 81 per cent of the fine-cut tobacco; 89 per cent of the little cigars; 96 per cent of the snuff; 95 per cent of the licorice paste; 75 per cent of the tin foil and most of the tobacco extracts, boxes and containers.

Three of the four judges on the circuit bench united in a decree. This decree dismissed the petition as to the Imperial company and the British-American company, and the United States Stores company, which was claimed to be the retail branch of the organization. This action formed one of the grounds for appeal by the government to the supreme court.

The decree adjudged the other de-

Same Gun Had Killed Both.

By Associated Press.

St. Joseph, Mo., Jan. 6.—A special to the News-Press, says the dead body of T. E. Coway, the Fort Worth, Mo., druggist, who yesterday shot and killed M. F. Stevens, a retired farmer, on the streets of that village, was found in a clump of bushes today. A bullet hole in the head. Beside the body lay the gun, which killed Stevens.

## SHOT FIRER AT KREBS DIED FROM SUFFOCATION

By Associated Press.

Krebs, Okla., Jan. 6.—Tony Wald, a shot firer, who was entombed by an explosion in mine No. 5, of the Osage Coal Mining company here last night died before the rescuers reached him today. His body was recovered. Wald died of suffocation. The fire started by the explosion, was extinguished today. The damage was small. Wald's brother, Frank was killed in the same mine in the same manner two years ago.

## MUSKOGEE JUDGE DISMISSES INDICTMENTS BY WHOLESALE

Muskogee, Okla., Jan. 6.—It only requiring ten minutes of Judge Farrar L. McCain's time yesterday to dispose of 210 criminal cases, and he thereby made a new record.

Acting on the recommendation of the county attorney, the judge cleared the docket of a lot of "dead wood" in the shape of criminal cases which were in his court cases to July 1, last. The chief reason for this summary action was the lack of evidence on which to secure convictions in the majority of cases dismissed, and defective indictments returned by the special grand jury which met a year ago and indicted a number of county officials and others.

The 126 indictments returned against Arch Wright by special grand jury based upon alleged violations of the prohibition law, were not dismissed.

In the long list of whiskey cases dismissed, appeared the names of all the star jointkeepers and bootleggers of the city, the most of whom had two or more cases against them stricken from the docket.

Judge McCain made a new order this morning in disposing of all of these cases. He said he hoped his docket would be kept reasonably clear of criminal cases hereafter. In order to accomplish this he said he would expect the county attorney to promptly prosecute all cases of a criminal nature filed in his court. He said he would arrange matters so that all criminal cases can be tried, hereafter, within a week or two of their date of filing.

L. C. Shannon is packing his household goods and expects to leave tomorrow for Bristow to make his future home.

Defendants to be parties to an unlawful combination, but said nothing about the monopolizing charges. This failure furnished another ground for appeal by the government. The American Tobacco company, the American Snuff company, the American Cigar company, P. Lorillard company, R. J. Reynolds Tobacco company, Blackwell's Durham Tobacco company and the Conley Poff company were adjudged to hold shares in a number of specified tobacco corporations and enjoined them from acquiring the plants or business or voting the shares of and from exercising control over these subsidiary companies. The government was dissatisfied because the holding companies were not enjoined from collecting dividends from the subsidiary companies.

The defendants appealed to the supreme court because the petition of the government was not dismissed in total.

## SHERIFF'S FEE BILL MUST PASS BEFORE NEXT MONDAY

Oklahoma City, Okla., Jan. 6.—In order to pass the deputy sheriff's fee bill through the house and place it on first reading in the senate, the legislature held its first night meeting of the session last night. Increasing, as it does, the emoluments of the deputies the bill must be finally enacted into law before the newly elected sheriffs take office next Monday. Yesterday and the remaining days of this week are the three necessary for the measure's passage through the senate.

The sheriff's bill is the first considered by the legislature. Crawford of Ada and Coughlin of Frederick introduced it, understanding that it contains the provisions sought for by the Sheriff's Association.

The sheriff is allowed a jailer at \$60 a month and guards at not to exceed \$60, and one office deputy at \$75, provided that in counties of over 40,000 population, the number of assistants is left to the discretion of the county commissioners.

The sheriff is permitted to appoint as many deputies as may be allowed by the commissioners, to receive 75 per cent of all fees earned and collected, and 50 per cent of all fees earned in serving criminal processes.

On roll call the bill passed, 86 to 9, and three engrossing clerks were appointed to prepare it for transmission to the senate.

The house committee on public buildings reported out the Muskogee state fair bill, recommending that it pass, with an appropriation of \$100,000 to establish the exposition. Muskogee has a lobby here and the delegation hopes to rush the bill through without opposition and no more delay than is required to call the roll.

William H. Murray of Tishomingo was a visitor at the house session, and on an invitation to speak, made a brief

## OBBERLIN GLEE CLUB GIVES SPLENDID CONCERT

To an audience that filled every seat in the Auditorium last night, the Oberlin College Glee Club, of Oberlin, O., gave what is considered by many as the best musical concert ever heard in this city. The great crowd had gathered expecting to hear a beautiful concert, but no such treat as was given was anticipated. Every member of this glee club is an artist and the training was superb. The songs were of the jingling kind that usually mark concerts by college students. The piano solos and the mock orchestra were pleasing features of the entertainment. The latter was in comic vein and surpasses anything ever seen here. The rendition of "Four Jolly Sailorsmen," by the quartette was also fine.

## PROPOSE TO BUILD COTTON GIN HERE

Proposition to Erect a Small Gin Will Be Submitted to Commercial Club By Judge Parker.

Judge L. F. Parker is preparing to submit a proposition to the Commercial Club for the erection of a small cotton gin in this city. The necessity for the investment was manifested during the fall when several cars of cotton were shipped from this place that had been ginned elsewhere.

It is known that more than one thousand acres of lands to the east and south of here, especially in the Grand river country will be put in cotton the coming season. The seed has already been procured.

It will not be necessary to build a very large gin or to fully equip it. No engine would be required as it could be run by electricity. It could be run in connection with one of the grain elevators or by the light plant.

The necessity for such a gin has been realized by a number of the business men and they have been discussing plans for the building of it.

Basket Ball Schedule Announced.

Guthrie, Okla., Jan. 6.—Basket ball practice is in full swing at the university of Oklahoma, at Norman, and on January 29 the team leaves for a trip through the Sunflower state playing seven strong aggregations in the eight days away from home. Coach Owen announces the following schedule: January 13, Oklahoma Baptist college at Norman; January 20, Northwestern Oklahoma normal at Norman; January 30, Southwestern Kansas college at Winfield; January 31, Friends college at Wichita; February 1, Newton Y. M. C. A. at Newton; February 2, College of Emporia at Emporia; February 4, Blackwell Baptist college at Blackwell, Okla.; February 6, Oklahoma Aggies at Stillwater; February 11, Southwestern Kansas college at Norman; February 24, Oklahoma Aggies at Norman, and February 27, College of Emporia at Norman.

The arrest of the walking bootlegger is an innovation in Vinita law enforcement that is stirring up the animals.

Two Killed in Collision.

By Associated Press.

Wichita, Kans., Jan. 6.—The death of Engineer John Shields, Fireman O. H. Schonstein, of Newton, and the slight injury of Fireman C. A. Finlay, of Newton, were the result of the Santa Fe east bound Chicago express running into a freight train near Mulvane, Kans., last night. No passengers were injured.

## REGULAR DEMOCRATS BLOCK INAUGURATION OF FUSIONIST

Nashville, Tenn., Jan. 6.—The regular democrats are still blocking the meeting of the state legislature, and consequently the inauguration of B. W. Hooper, fusionist governor. It was stated last night that forty-one of the forty-six democrats in the house had signed an agreement to remain out of the house until the fusionists should agree to the dismissal of contests instituted over eight or more seats claimed by the regulars. Many regulars are growing restive and say they will go home today.

Unless the fusionists agree to dismiss the contests, the regulars say they will never help make up a quorum, preferring to let the session go by default.

## LORIMER FIGHT POSTPONED UNTIL SENATE RECONVENES

Washington, Jan. 6.—The adjournment of the senate until Monday on account of the death of Senator Elkins made material changes in the plans of those opposed to Senator Lorimer being permitted to retain his seat. It was expected that Senator Owen would speak yesterday in criticism of the report of the committee on privileges and elections, and that he would introduce a resolution to declare the election of Mr. Lorimer illegal.

The adjournment until Monday, however, makes it possible for Senator Beveridge to complete a minority report, and it is now believed that he will submit such a report Monday and make a speech upon it.

There is some question now whether Senator Owen or Senator Beveridge will fire the first gun in the fight against Mr. Lorimer. If Senator Beveridge is ready on Monday, and it is said that he will be, the general impression is that Mr. Owen will step aside and let the Indiana senator speak first.

Mr. Owen is said to desire to speak against Mr. Lorimer because the show of corruption in the Illinois legislature seems to offer a good argument in support of the Owen resolution for a constitutional amendment to provide for the election of senators by direct vote.

There are evidences on the floor of the senate that the senators are being asked to take sides on the Lorimer case, an every indication points to a long and heated debate.

## PATROLMAN KILLED AFTER ARRESTING YOUNG BANDITS

By Associated Press.

Duluth, Minn., Jan. 6.—William Muzary, aged twenty, Algot Johnson, an eighteen year old boy, and the porter of the Hotel McKay, this morning held up, robbed and shot the night clerk, bound and gagged two other men in the hotel basement and escaped with fifty dollars, belonging to the hotel. Patrolman Chesmore later arrested them and they were being taken to the station in a street car, when one of the youthful bandits drew a revolver, Chesmore had overlooked, shot and killed Chesmore, and held up all the passengers of the car and escaped. Automobiles, motor cars, the entire police force and a large crowd of citizens joined in the man hunt.

\$75,000 Fire at Kansas City.

By Associated Press.

Kansas City, Mo., Jan. 6.—Fire of unknown origin did \$75,000 damage to the plant of the Kansas City Bolt and Nut Works here early this morning. The plant is valued at four hundred thousand dollars and covers an acre of ground.

Five Accused of Bootlegging.

Five alleged bootleggers were arrested by the deputy sheriffs last night. They were General Blunt Martin (colored), Claude Moore, Pearl Fennel, Slim Walls and Roy Goodpaster. This was the third time this week that Martin has been arrested.

## WANT APPROVAL OF LAND SALES

Delegation of Miami Citizens Go to Washington to Try to Get Recognition by Department.

Dr. W. L. McWilliams, S. C. Fullerton and James Robinson, well known citizens of Miami, formed a delegation that left last night for Washington, D. C., on a mission of great importance to the citizens of Ottawa county, and one which recalls a long drawn out legal controversy over titles to the Quapaw Indian lands in Ottawa county.

It will be recalled, especially by the bar of the old northern district of Indian Territory, that while restrictions on the sale of the Quapaw lands were placed in the patents issued by the government, the laws of Kansas, respecting the sale of the lands by partition, in order that the proceeds might be partitioned among the heirs, was placed in operation in that part of the Indian Territory. It was contended by many lawyers that this law operated to remove the restrictions imposed in the patents, in cases where the allottee had died and the lands had to be partitioned in fairness to the heirs. As a result a number of the allotments were sold under an order of the federal court, by the United States marshal. Deeds were issued and approved by the court. The lands were purchased in good faith by citizens as well as outsiders for what was considered a fair valuation of the land at the time.

The interior department refused to recognize the sales, claiming there was no authority for the sale on account of the restrictions in the patents.

In view of the fact that the proceedings were had in good faith and there was no fraud and the Indians got the money for their lands, the delegation went to Washington to try to induce the interior department to recognize the conveyances and to get the president, by his authority of the treaty, to approve the sale.

It is estimated that from 5,000 to 7,000 acres of valuable lands in Ottawa county are involved and the result of the work of the delegation will be watched with much interest.

## CONFIRMATION BY SENATE OF HASKELL'S APPOINTMENTS

Oklahoma City, Okla., Jan. 6.—The senate in executive session Wednesday confirmed these recess appointments made by Governor Haskell.

Regent University Preparatory school, Tonkawa—H. L. Haynes of McAlester, vice M. M. Henderson, resigned.

Board of Trustees, Vinita insane asylum—J. J. Maroney of Okmulgee, vice Robert Dunlop, resigned.

Board of trustees, Fort Spaully asylum—W. S. Deering of Thomas, vice Dunlop.

University regents—W. E. Rowsey of Muskogee, N. L. Linebaugh of Oklahoma City, D. Matt Gordon of Weatherford and C. C. Hatchett of Durant.

Warden of state reformatory—Clyde Reed, vice S. M. Flournoy, resigned.

Regents of Girls' Industrial school at Chickasha—Captain A. S. McKennon of McAlester, reappointed; Mrs. Martha B. Redwine of McAlester, vice Miss Anna Stewart, resigned.

Criminal court of appeals—D. A. Richardson of Durant, vice Thomas H. Owen of Muskogee, resigned.

State board of public affairs—J. T. Dickerson of Chickasha, vice T. A. Chandler, resigned.

Board of pharmacy—J. D. Hausam of Coweta, J. W. Swartz of Chelsea, Ben F. Lafayette of Checotah, and O. W. Kilham of Grove.

Bank commissioner—E. B. Cockrell, vice A. M. Young, resigned.

State election board—T. J. Leachy, Seth K. Cordon and J. L. Hamon, vice F. P. Branson, Will Linn and J. L. Allen, resigned.

State capital commission—Tate Brady of Tulsa, Boone Williams of Lehigh and Leo E. Bennett of Muskogee. Trustees of Confederate home—J. W. Blanton of Rock, D. M. Hailley of McAlester, W. B. Rogers of Checotah, R. A. Sneed of Lawton, George Henry Bruce of Ardmore, Dr. John Thredgill of Oklahoma City and Jarrett Todd of Mangum, all confederate veterans.

J. F. Bebout of Greenwich, O., is expected shortly for a visit with Attorney Gaylord Bebout of this city.

MILFORD-BERGER SHOE COMPANY.

Men's Felt Boots \$3 and \$3.50  
Men's Overshoes \$1.25 to \$3

Women's and Children's Rubber Footwear of every kind

MILFORD-BERGER SHOE COMPANY